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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN MANTEL,

Plaintiff,

v.

GANNETT COMPANY, INC., HEARST
STATIONS, INC., HEARST
NEWSPAPERS, LLC, TOSHIBA
AMERICA, INC., LENOVO (UNITED
STATES) INC., GANNETT SATELLITE
INFORMATION NETWORK, LLC,
VERIZON COMMUNICATIONS INC.,
TEGNA, INC., MICROSOFT
CORPORATION, AOL INC., AND
ZAZOOM, LLC

Defendants.
-----X

Case No. 1:16-cv-05277 (AJN/

**STIPULATION TO FILE AMENDED
COMPLAINT, DISMISS CERTAIN
DEFENDANTS, AND
EXTEND TIME TO ANSWER**

WHEREAS, the undersigned counsel for Plaintiff John Mantel ("Plaintiff") and all Defendants have conferred regarding the fact that the Complaint dated July 4, 2016[Dkt. No. 1] (the "Complaint") incorrectly names certain corporate entities as defendants in this action; and

WHEREAS, Defendants have provided Plaintiff with information sufficient to identify such defendants' corporate affiliates that should instead be named as defendants herein;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for Plaintiff and Defendants, on behalf of all defendants, that:

1. Pursuant to Fed. R. Civ. P. 15(a)(2), defendants consent to allow Plaintiff to amend the Complaint for the limited purpose of adding as defendants (i) Toshiba America Information Systems, Inc.; and (ii) Verizon Services Corporation (the "Amended Complaint"), in place of such entities' respective corporate affiliates.

2. At the same time that Plaintiff files the Amended Complaint, Plaintiff will also file a Notice of Dismissal, pursuant to Fed. R. 41(a)(1)(A)(i), that dismisses without prejudice all claims against current defendants (i) Toshiba America, Inc.; and (ii) Verizon Communications Inc.

3. Defendants' undersigned counsel is authorized to accept service of the Amended Complaint on behalf of the corporate entities listed in Paragraph 1, and consents to accept such service via ECF pursuant to Fed. R. Civ. P. 5(b)(2)(E).

4. The time for defendants to answer or otherwise respond to the Complaint is hereby extended *sine die* pending Plaintiff's filing of the Amended Complaint. Thereafter, the defendants named in the Amended Complaint shall file their answers or other responses thereto within 14 days following the filing of the Amended Complaint.

5. The amended complaint and notice of dismissal shall be filed by September 13, 2016.

Dated: August 26, 2016
New York, New York

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By: 

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Attorneys for Defendants

SO ORDERED:
August 30, 2016


Hon. Nelson J. Nathan, U.S.D.J.

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